

Appl. No. 10/541,258
Amdt. Dated December 9, 2010
Reply to Office Action of September 9, 2010

REMARKS/ARGUMENTS

Applicants respectfully request reconsideration of the prior art rejections set forth by the Examiner under 35 U.S.C. sections 102 and 103. Applicants respectfully submit that the prior art references of record, whether considered alone, or in combination, fail to either teach or suggest Applicants' presently claimed invention as now specified.

More specifically, by this amendment, Applicants have modified each of the independent claims in order to additionally require that: a timing of ink ejection for each of a plurality of different color ink emitters is altered for each of the different ink emitters.

Applicants respectfully submit that neither the Examiner's primary Estelle reference nor the alternate Bretmersky reference provides any teaching or suggestion regarding altering a timing of ink ejection for each of a plurality of different ink color emitters. Indeed, the Examiner has acknowledged that the Estelle reference does not even disclose or suggest an environment detecting means for detecting an ambient temperature and/or humidity for altering ejection as disclosed and claimed in the instant application.

Applicants also note that the alternate Bretmersky reference is directed to a significantly different system which is directed to the automated deposition of coating materials such as at he caulks or sealants onto surfaces of workpieces. Applicants respectfully submit that this alternate reference is non-analogous art and that the combination of references remains deficient.

Furthermore, Applicants have added new claims which alternately define the invention and distinguish over the prior art by specifying that a type of paper upon which the inks are ejected determines the ejection timing. Applicants respectfully submit that none of the references

Appl. No. 10/541,258
Amdt. Dated December 9, 2010
Reply to Office Action of September 9, 2010

of record teach or suggest this alternate characteristic feature of the present invention.

Accordingly, in light of the foregoing, because the prior art does not teach or suggest the innovations of the present invention as now specified, Applicant submits that the claims now stand in condition for allowance.

The Commissioner is hereby authorized to charge any fees due or to credit any overpayment to Deposit Account No. 50-3891.

Respectfully submitted

Date:

12/9/2010


Robert J. Depke

ROCKEY, DEPKE & LYONS, LLC

Sears Tower, Suite 5450

Chicago, Illinois 60606-6306

Tel: (312) 277-2006

Attorneys for Applicant

(Reg. #37,607)